

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43928 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -BAKHTIYARPUR RAIL P.S. District- PATNA
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1. Sudhir Kumar @ Sudhir Prasad, Son of Jugeshwar Prasad @ Jugesar Prasad.
2. Jugeshwar Prasad @ Jugesar Prasad. Son of Late Radhe Das, Both are resident of Village- Rupanbiga, Police Station- Tharthari, District- Nalanda at Biharsharif.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Brajendra Nath Pandey
=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 03-11-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Rail P.S. Bakhtiarpur (Rail P.P. Fatuha) P.S. Case No. 41 of 2017 registered under Section 306 of the Indian Penal Code.

Submission is that petitioners, who happened to be husband and father-in-law of the deceased respectively, are innocent and have falsely been implicated in this case.

Learned A.P.P. appearing on behalf of the State opposed the prayer of husband of the deceased, petitioner no. 1, who is fully responsible for the alleged occurrence. There is specific allegation of torture against him. Hence, he does not



deserve anticipatory bail.

Considering the above facts and circumstances of the case, prayer of the petitioner no. 1, Sudhir Kumar @ Sudhir Prasad is rejected.

As far as prayer of petitioner no. 2, Jugeshwar Prasad @ Jugesar Prasad is concerned, he is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Railway Magistrate, Patna in connection with Rail P.S. Bakhtiarpur (Rail P.P. Fatuha) P.S. Case No. 41 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

Shailendra/-

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